

Introduced by Senator LeslieFebruary 11, 2000

An act to amend Sections 7604 and 7678 of the Public Utilities Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

SB 1491, as introduced, Leslie. Railroad crossings: automated warning devices.

Existing law requires that a audible warning device be sounded from a locomotive engine at least 1320 feet before the intersection of the railroad and a street, road, or highway with certain exceptions. Existing law imposes a civil fine on a railroad corporation that violates this provision and makes it a misdemeanor for a person in charge of a locomotive engine to fail to sound the warning.

This bill would eliminate the requirement that the warning device on the locomotive engine be sounded when approaching a railroad crossing that has a permanent audible warning device that automatically sounds as the locomotive engine approaches the railroad crossing.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 7604 of the Public Utilities Code
- 2 is amended to read:
- 3 7604. (a) A bell, of at least 20 pounds weight or of
- 4 equivalent sound-producing capability, shall be placed on



1 each locomotive engine, and shall be rung at a distance
2 of at least 1,320 feet from the place where the railroad
3 crosses any street, road, or highway, and be kept ringing
4 until it has crossed the street, road, or highway; or a steam
5 whistle, air siren, or an air whistle shall be attached, and
6 be sounded at the like distance, and be kept sounding at
7 intervals until it has crossed the street, road, or highway,
8 except as follows:

9 (1) Notwithstanding Section 7678, in a city, the
10 ringing of the bell or the sounding of the steam whistle,
11 air siren, or air whistle shall be at the discretion of the
12 operator of the locomotive engine.

13 (2) When a locomotive engine is engaged in a
14 switching operation or comes to a stop at any point within
15 a distance of 1,320 feet from the place at which the
16 railroad crosses any street, road, or highway, it shall not
17 be necessary that the bell be rung or the whistle, air siren,
18 or air whistle be sounded, until the time and from the
19 place that the locomotive begins an uninterrupted
20 movement to and across the place at which the railroad
21 crosses the street, road, or highway.

22 (3) *Notwithstanding Section 7678, the ringing of the*
23 *bell or the sounding of the steam whistle, air siren, or air*
24 *whistle is not required when approaching a railroad*
25 *crossing that has a permanently installed clearly audible*
26 *warning device that sounds automatically when an*
27 *approaching train is at least 1,320 feet from the place*
28 *where the railroad crosses any street, road, or highway,*
29 *and that keeps ringing until the entire train has crossed*
30 *the street, road, or highway. The automatic warning*
31 *device shall sound at the same or greater decibel level as*
32 *that set forth in subdivision (a) for a warning device*
33 *mounted on a locomotive engine.*

34 (b) Any railroad corporation violating this section
35 shall be subject to a penalty of one hundred dollars (\$100)
36 for every violation. The penalty may be recovered in an
37 action prosecuted by the district attorney of the proper
38 county, for the use of the state. The corporation is also
39 liable for all damages sustained by any person, and caused

1 by its locomotives, train, or cars, when the provisions of
2 this section are not complied with.

3 SEC. 2. Section 7678 of the Public Utilities Code is
4 amended to read:

5 7678. ~~Every~~ *Except as provided in paragraphs (1) to*
6 *(3), inclusive, of Section 7604, every* person in charge of
7 a ~~locomotive-engine~~ *locomotive engine* who, before
8 crossing any traveled public way, omits to cause a bell to
9 ring or steam whistle, air siren, or air whistle to sound at
10 the distance of at least ~~80 rods~~ *1,320 feet* from the crossing,
11 and up to it, is guilty of a misdemeanor.

